

February 12, 2010

VIA HAND DELIVERY

Nyles Barnert, Chairman
Zoning Board of Appeals
Town of Lexington
1625 Massachusetts Avenue
Lexington, Massachusetts 02420

Re: Special Permit with Site Plan (SPS) and Definitive Site Development and Use Plan (DSDUP) application for the CD-10 District, Lexington Technology Park

Dear Mr. Chairman:

As you are aware, this office and the undersigned represent Patriot Partners Lexington, LLC, 200 Patriot Way, LLC and Shire Human Genetic Therapies, Inc. (hereinafter, individually and collectively referred to as the "Applicant" or the "Owner"), with respect to the property known as Lexington Technology Park, located at 125, 131 and 141 Spring Street (now known as 125 Spring Street and 100, 200, 300, 400, 500 and 600 Patriot Way), Lexington Massachusetts ("Premises").

As prescribed under the Zoning Bylaw Chapter 135 of the Code of the Town of Lexington, §135-12, §135-13, §135-14(C), §135-42(B), and §135-42(F), the Applicant and owner hereby submits for review and approval a Special Permit with Site Plan Review (the "SPS") with accompanying Definitive Site Development and Use Plan (the "DSDUP") showing the general location of buildings 100 and 600 Patriot Way and the specific site details for 200 Patriot Way as delineated on the DSDUP and Special Permit plans attached hereto (collectively, this Application and accompanying materials is hereinafter referred to as the "SPS/DSDUP Application"). This SPS/DSDUP Application also clarifies and confirms the authorized uses for all existing and proposed buildings within the CD-10 Zoning District as said uses are permitted pursuant to the original Special Permit with Site Plan decision issued by the ZBA on January 24, 2008 and the Amended Preliminary Site Development and Use Plan (the "APSDUP") as authorized by an act of the Special Town Meeting in November of 2009.

This SPS/DSDUP Application includes a narrative of the improvements presently existing, or proposed to be constructed at 100, 200, 500 and 600 Patriot Way and 125 Spring Street. These uses are proposed to be continued or conducted as follows:

Section 2.7 “Office of manufacturer’s representative or salesman with no sales or storage and distribution or products from the premises”

Section 2.8 “Other business, administrative or professional office, not elsewhere classified”

Section 5.1 “Laboratory engaged in research, experimental and testing activities, which may include the development of mock-ups and prototypes but not the manufacture of finished products”

Further, the properties known as 300 and 400 Patriot Way shall be permitted to continue to conduct the following uses:

Section 2.7 “Office of manufacturer’s representative or salesman with no sales or storage and distribution or products from the premises”

Section 2.8 “Other business, administrative or professional office, not elsewhere classified”

Section 5.1 “Laboratory engaged in research, experimental and testing activities, which may include the development of mock-ups and prototypes but not the manufacture of finished products”

Section 5.2 “Manufacturing in the fields of biotechnology, medical, pharmaceutical, physical, biological and behavioral sciences and technology, environmental science, toxicology, genetic engineering, comparative medicine, bioengineering, cell biology, human and animal nutrition including the production of equipment, apparatus, machines and devices for research, development, manufacturing and advance and practical application in any such field or area, and including, office, administrative and support facilities related to any of the foregoing activities. All development proposals shall comply with applicable Federal, State and local laws, regulations and ordinances including, without limitation, laws, regulations and ordinances governing air pollution, water pollution control, noise and illumination.”

The manufacturing uses permitted under Section 5.2 of the Use Table “Permitted Uses for Lexington Technology Park” as described above shall be limited only to the properties designated as 400 Patriot Way and a portion of 300 Patriot Way (The manufacturing uses at 300 Patriot Way shall occupy less than 20,000 square feet of net floor area and are devoted to support of the operations at 400 Patriot Way), unless otherwise permitted by the ZBA pursuant to the grant of an SPS with DSDUP.

On December 23, 2009, the Applicant filed an SPS application with the ZBA for the proposed construction of a building at 200 Patriot Way with associated uses to include office and

laboratory facilities (the “200 Patriot Way SPS”). The 200 Patriot Way SPS was filed in advance of an accompanying DSDUP in an effort to commence discussions with the ZBA and interested parties in order to garner immediate feedback on the proposal during the requisite public hearing process. The ZBA commenced the public hearing on February 1, 2010 with a second hearing scheduled for March 11, 2010. Additionally, the Applicant has met on two occasions with the Design Advisory Committee and has held a meeting with the project abutters to review the 200 Patriot Way SPS. As expressed to the ZBA during the initial public hearing and described in correspondence from this office with the Building Commissioner, this SPS/DSDUP Application incorporates the 200 Patriot Way SPS filing with a proposal for the development of 100 and 600 Patriot Way. We would, therefore, respectfully request that the ZBA advertise a new public hearing reflecting the proposed additional building square footage at 100, 200 and 600 Patriot Way as well as any new use or use clarification described in the SPS/DSDUP Application.

In order to effectuate the Zoning Board of Appeals review of this SPS/DSDUP Application we have enclosed nine (9) sets of the following materials for your consideration:

- A. Executed Special Permit with Site Plan Application form (SPS/DSDUP Application form);
- B. Certified abutters list, maps and worksheet for 125 Spring Street, 100, 200, 300, 400, 500 and 600 Patriot Way;
- C. Legal Ad Authorization;
- D. The required filing fee of \$4849 was submitted to the Town of Lexington on December 23, 2009 as part of the 200 Patriot Way SPS. A copy of the check is enclosed in this section;
- E. Definitive Site Development and Use Plan. This document includes a narrative description of the proposal as well as the following documents, reports and plans:

Appendix 1 – Certified Copy of the Amended PSDUP (approved at Special Town Meeting on November 9, 2009);

- (1) Traffic Study prepared by TetraTech Rizzo dated August, 2009;
- (2) Site Utilities analysis prepared by Symmes Maini and McKee Associates dated June 19, 2009;
- (3) Fiscal Impact Analysis prepared by Connery & Associates dated July 29, 2009;

- (4) Legal Description of the CD-10 District prepared by Symmes Maini and McKee Associates dated February, 2009;
- (5) Locus Plan prepared by Symmes Maini and McKee Associates dated February 16, 2009;
- (6) Conceptual Site Plan prepared by Symmes Maini and McKee Associates dated April 16, 2009;
- (7) Conceptual Architectural Images prepared by Symmes Maini and McKee Associates dated April 23, 2009;
- (8) Table of Permitted Uses for Lexington Technology Park;
- (9) Amended and Restated Memorandum of Understanding signed by the Lexington Board of Selectmen, Patriot Partners Lexington, LLC and Shire HGT Inc. on October 30, 2009.

Appendix 2 – Updated Traffic Memorandum prepared by Tetra Tech Rizzo dated February 11, 2010

Appendix 3 – TIF Agreement signed by the Lexington Board of Selectmen, Patriot Partners Lexington, LLC, and Shire HGT, Inc. dated October 2007

Appendix 4 – Conservation Restriction and Trail Plan

- (1) Draft Conservation Restriction Plan
- (2) Draft Trail Plan entitles “Conservation Restriction Trail Map” prepared by Symmes Maini and McKee Associates dated January 20, 2010.

Appendix 5 – Architectural Images for 200 Patriot Way prepared by Kling Stubbins dated February 11, 2010

Appendix 6 – Definitive Site Development and Use Plans and Engineering Reports.

In addition to the DSDUP Plans provided in this Appendix 6 the Applicant has prepared the requisite engineering reports detailing zoning compliance data and site development information. The DSDUP Plans and Engineering Reports included in this section are as follows:

200 Patriot Way

- (1) "Lexington Technology Park, 200 Patriot Way, Lexington, MA, Special Permit" dated December 18, 2009 prepared by Symmes Maini & McKee Associates, Inc., consisting of nineteen (19) sheets;
- (2) "Special Permit – Engineering Information, Lexington Technology Park, 200 Patriot Way, Lexington, MA" prepared by Symmes Maini & McKee Associates, Inc., Kling Stubbins and Vanderweil Associates dated December 18, 2009;

Lexington Technology Park Campus

- (3) "Lexington Technology Park, Spring Street, Lexington MA, Definitive Site Development & Use Plan" dated February 12, 2010 prepared by Symmes Maini & McKee Associates, Inc., consisting of fifteen (15) sheets.
- (4) "Engineering Information – DSDUP, Lexington Technology Park, Lexington, MA" prepared by Symmes Maini & McKee Associates, Inc., dated February 12, 2010.

It is the intent of the Applicant to work diligently with the ZBA and respective municipal departments to expedite all requests for supplemental information to ensure that the review of this SPS/DSDUP Application is considered in a timely manner. We would intern request that the ZBA consider commencing the public hearing during the week of March 1st, subject to compliance with required public hearing notification and advertisement requirements, which this office would be happy to assist you with.

If you require any additional information or clarification on the requested petition please feel free to contact me.

Very truly yours,



Robert C. Buckley

RCB/mmc/blc
Enclosures
03375/18

cc: Carl Valente, Town Manager, Town of Lexington **Via Hand Delivery** (w/enclosures)
Donna Hooper, Town Clerk, Town of Lexington **Via Hand Delivery** (w/enclosures)

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Gregory Zurlo, Chairman, Planning Board **Via Hand Delivery** (w/enclosures)
Norman Cohen, Chairman, Board of Selectmen **Via Hand Delivery** (w/enclosures)
Susan Yanofsky, Town of Lexington **Via Hand Delivery** (w/enclosures)
John Livsey, Town Engineer, Town of Lexington **Via Hand Delivery** (w/enclosures)
Wayne Delaney, Asst. Fire Chief, Town of Lexington **Via Hand Delivery** (w/enclosures)
Karen Mullins, Conservation Administrator, **Via Hand Delivery** (w/enclosures)
Steve Rice, Patriot Partners Lexington LLC (w/enclosures)
Joseph Zink, Patriot Partners Lexington LLC (w/enclosures)
Jim Winiarski, Shire Pharmaceuticals, Inc. (w/enclosures)
Peter Corbett, Goulston and Storrs (w/enclosures)
Brian Lawlor, SMMA (w/enclosures)
John Hart, SMMA (w/enclosures)
Richard Bryant, Tetra Tech Rizzo (w/enclosures)
John Connery, Connery and Associates (w/enclosures)
Karen Modzelewski, Kling Stubbins (w/enclosures)
Melissa Cushing, Riemer & Braunstein (w/enclosures)
Ethan Solomon, Riemer & Braunstein (w/enclosures)

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